

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CAMERON ROSS FORNEY,

Defendant.

CR 20–135–BLG–DLC

ORDER

Before the Court is United States Magistrate Judge Timothy J. Cavan’s Findings & Recommendations Regarding Revocation of Supervised Release. (Doc. 86.) Because neither party objected, they are not entitled to *de novo* review.<sup>1</sup> 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

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<sup>1</sup> Defendant originally objected to Judge Cavan’s Findings & Recommendation on May 6, 2024, (Doc. 88), but withdrew the objection on May 15, 2024.

Judge Cavan found, based on Defendant's admissions at the hearing, that Defendant violated four conditions of supervised release: the mandatory condition that he refrain from any unlawful use of a controlled substance (Mand. Cond. 3); the special condition that he participate in substance abuse testing (Spec. Cond. 4); the special condition that he participate in and successfully complete an outpatient program of substance abuse treatment (Spec. Cond. 5); and the standard condition that he must follow the instructions of the probation officer related to the conditions of supervision (Stand. Cond. 13). (Doc. 86 at 7–8.)

Judge Cavan recommends that this Court revoke Defendant's supervised release and sentence him to six (6) months custody, followed by a 24-month term of supervised release. (*Id.* at 8.) Judge Cavan also recommends that this Court impose the conditions of supervised release previously imposed by the Court (Doc. 66 at 3–5), as well as the following special condition: upon the conclusion of your custodial sentence, you must reside in a sober living home approved by the probation officer for a period of four (4) months. (*Id.*)

The Court finds no clear error in Judge Cavan's Findings and Recommendations and adopts them in full.

Accordingly, IT IS ORDERED that Judge Cavan's Findings and Recommendations (Doc. 86) is ADOPTED in full.

Defendant shall be sentenced in conformity with Judge Cavan's

recommendation in the judgment filed concurrently with this Order.

DATED this 15th day of May, 2024.

A handwritten signature in blue ink, reading "Dana L. Christensen". The signature is written in a cursive style with a large initial "D".

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Dana L. Christensen, District Judge  
United States District Court